

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) Criminal Action No.
) 03-00171-01-CR-W-ODS
HESSAM GHANE,)
)
Defendant.)

O R D E R

On January 10, 2006, Defendant filed a motion for a judicial determination of mental competency. Defendant was examined by Dr. Robert G. Lucking at the Federal Medical Center in Butner, North Carolina. It is the opinion of Dr. Lucking that Defendant is competent to stand trial. During a hearing held before United States Magistrate Judge Robert Larsen on May 2, 2006, Defendant and the government both stipulated to the report of Dr. Lucking.

Therefore, after making an independent review of the record, it is
ORDERED that Defendant's motion for judicial determination of mental competency is granted, the Report and Recommendation of Magistrate Judge Robert Larsen is adopted in its entirety, and this court finds that Defendant is competent to stand trial. It is further
ORDERED that, pursuant to 18 U.S.C. § 3161(h)(1)(A), the time between January 10, 2006, and the date of this order is excluded in computing the time within which the trial of this criminal action must commence.

IT IS SO ORDERED.

DATE: May 30, 2006

/s/ Ortrie D. Smith
ORTRIE D. SMITH, JUDGE
UNITED STATES DISTRICT
COURT